

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

SERGEI POTAPENKO AND IVAN
TURÖGIN,

Defendants.

Case No. CR22-185RSL

ORDER GRANTING
STIPULATED MOTION TO
CONTINUE TRIAL AND
SET DEADLINE FOR
ENTRY OF CASE
MANAGEMENT ORDER

This matter comes before the Court on Defendants’ “Stipulated Motion to Continue Trial and Set Deadline for Entry of Case Management Order” (Dkt. # 98). Having considered the facts set forth in the motion, and defendants’ knowing and voluntary waivers (Dkts. # 111, # 112), the Court finds as follows:

1. The Court adopts the facts set forth in the stipulated motion: in particular, the case’s subject matter is quite complex and highly technical. Defendants allegedly engaged in fraudulent solicitations relating to cryptocurrency over several years. Accordingly, counsel will need additional time to review and understand the voluminous discovery produced by the Government. In addition, much of the evidence and witnesses are outside the United States. The Court accordingly finds that a failure to grant a continuance would deny counsel, and any potential future counsel, the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

ORDER GRANTING STIPULATED
MOTION TO CONTINUE TRIAL - 1

1 2. The Court finds that a failure to grant a continuance would likely result in a
2 miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

3 3. The Court finds that the additional time requested between the current trial date of
4 August 5, 2024, and the proposed trial date of March 17, 2025 is a reasonable period of delay.
5 The Court finds that this additional time is necessary to provide defense counsel reasonable time
6 to prepare for trial, as defendants have requested more time to prepare for trial, to continue to
7 investigate the matter, to gather evidence material to the defense, and to consider possible
8 defenses. The additional time requested between the current trial date and the new trial date is
9 necessary to provide counsel for the defendants the reasonable time necessary to prepare for
10 trial, considering all of the facts set forth above.

11 4. The Court further finds that this continuance would serve the ends of justice, and
12 that these factors outweigh the best interests of the public and defendants in a speedier trial,
13 within the meaning of 18 U.S.C. § 3161(h)(7)(A).

14 5. Defendants have signed waivers indicating that they have been advised of their
15 right to a speedy trial and that, after consulting with counsel, they have knowingly and
16 voluntarily waived that right and consented to the continuation of their trial to a date up to and
17 including March 31, 2025, Dkts. # 111, # 112, which will permit their trial to start on March 17,
18 2025.

19 IT IS HEREBY ORDERED that the trial date shall be continued from August 5, 2024
20 to March 17, 2025, and pretrial motions are to be filed no later than November 1, 2024. The
21 parties' responses are due no later than November 15, 2024, and replies are due no later than
22 November 22, 2024. The parties shall submit their proposed stipulated case management order
23 or schedule a status conference to address future case management deadlines no later than
24 August 16, 2024.

25 IT IS FURTHER ORDERED that the period of time from the current trial date of August
26 5, 2024, up to and including the new trial date, shall be excludable time pursuant to the Speedy
27 Trial Act, 18 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing and granting
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1 of this motion is excluded for speedy trial purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D),
2 (h)(7)(A), and (h)(7)(B).

3 DATED this 25th day of July, 2024.
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7 Robert S. Lasnik
8 United States District Judge
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